

005 3-1-2002



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

May 14, 2002

Dennie Donahue  
5195 N Hwy 93  
Mackay, ID 83251

RE: Correspondence dated December 17, 2001 - request for exemption from measuring device and lockable control works requirement.

Mr. Donahue,

After reviewing Water District 34 rules (35.05 and 35.06) and inspecting your diversion site on March 9, 2002, the department is unable to grant an exemption to the order dated June 18, 2001 requiring installation of measurement devices and lockable control works. This decision is based in part on rule 35.06, *Good Cause For Exemption*, which states that "Good cause will include diversions which can not be measured or controlled due to flooding conditions at the diversion for a significant portion of the year when water is available for diversion so as to render a measuring device or control works impractical". After inspecting your diversion channel, we feel that a suitable location exists for a measuring device that will not be subject to flooding conditions during the times you can divert water.

This decision is also based on belief that a low cost solution is possible for both an acceptable measurement structure and lockable headgate that would not cause any reduction in flow capacity. A figure showing such a structure is attached.

It is likely there will be no significant runoff this irrigation season that would enable you to divert water, so it is not imperative that a measurement device be in place until the 2003 season. You should contact Doug Rosenkrance of Water District 34, or myself for assistance with locating, design and flow calibration of this structure.

If you have any questions or have additional information to support reconsideration of this decision to deny your request for exemption, please contact me directly at (208) 327-5407.

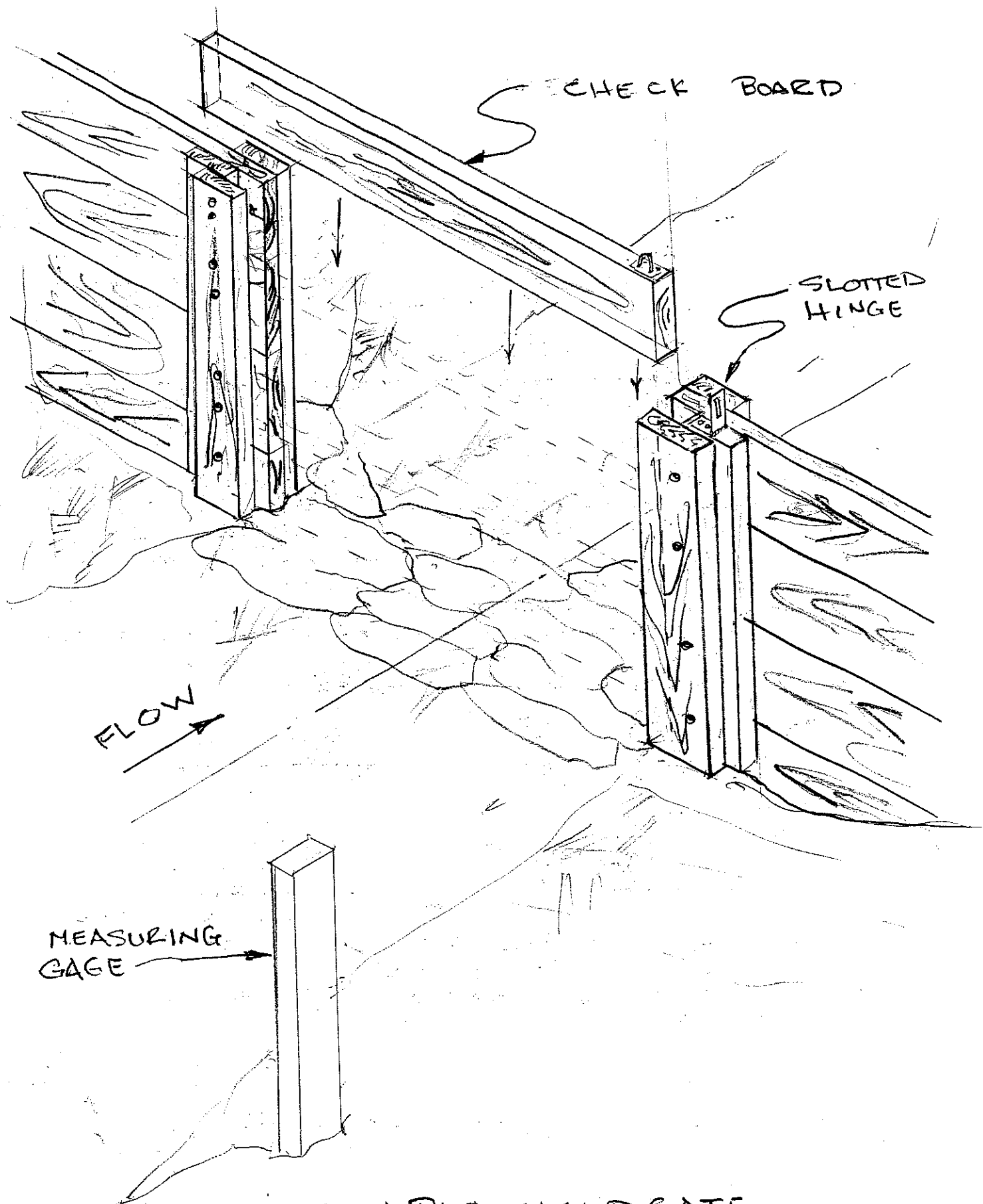
Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Burrell'.

Steve Burrell, P.E.  
Water Allocations

cc: Doug Rosenkrance, Water District 34  
Water District File

Attachments /1/



## LOCKABLE HEADGATE

ADAPTED FROM FIG. 3-20

ENGINEERING FIELD MANUAL - CCS 1019





